

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

RYANE PARKER,

Plaintiff,

V.

WEST CARROLL

SCHOOL DISTRICT, et al.

Defendants.

Case No: 1:20-cv-1044-STA-tmp

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff, pro se, filed this action in the Chancery Court of Carroll County, Tennessee, asserting claims under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.*, Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132 *et seq.*, and Section 504 of the Rehabilitation Act, 29 U.S.C. § 791-94g. Defendants removed the action to this Court and filed a motion to dismiss. (ECF No. 12.) Plaintiff has filed a motion to remand (ECF No. 9), a motion to amend (ECF No. 20), and a motion for clarification. (ECF No. 25.)

On May 27, 2020, the Magistrate Judge issued a report and recommendation (ECF No. 32), recommending that the motion to remand be denied, the motion to dismiss be granted in part and denied in part, and the motion to amend be granted. Magistrate Judge Pham noted that any objections to the report must be made within fourteen days. (*Id.* at p. 17.) On June 2, 2020, an attorney made an appearance on Plaintiff's behalf (ECF No. 33), and he filed an amended complaint on June 8, 2020. (ECF No. 35.)

Because the requisite time has passed and no objections have been filed, Plaintiff was ordered to show cause why the report and recommendation should not be adopted in its entirety. (ECF No. 37.) Plaintiff was cautioned that failing to respond to the order would result in the adoption of the report and recommendation without further notice.

Plaintiff has not responded to the order to show cause.¹ Accordingly, the report and recommendation are hereby **ADOPTED**. Defendants' motion to dismiss (ECF No. 12) is **PARTIALLY GRANTED** and **PARTIALLY DENIED**. Plaintiff's motion to remand (ECF No. 9) is **DENIED**; Plaintiff's motion to amend (ECF No. 20) is **GRANTED**, and Plaintiff's motion for clarification is **DENIED** as moot. (ECF No. 25.)

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: June 23, 2020

¹ Plaintiff's counsel is **STRONGLY** urged to respond to the Court's orders in the future.